

"Approved by the City Council/Redevelopment Agency Board on February 28, 2007."

**CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES OF A REGULAR MEETING**

**WESTMINSTER, CALIFORNIA
January 24, 2007**

The City Council/Agency Board of the City of Westminster, California convened on January 24, 2007 at 6:03 p.m. in a Regular Meeting in the Council Conference Room, 8200 Westminster Boulevard, Westminster, California.

**6:00 P.M.
CLOSED SESSION**

CALL TO ORDER:

ROLL CALL

PRESENT: RICE, MARSH, FRY, QUACH (arrived 6:10 p.m.), TA
ABSENT: NONE

CLOSED SESSION:

The City Council/Redevelopment Agency recessed to a Closed Session for the following purposes:

- 1) Pursuant to Government Code Section 54957: Public Employee Appointment: City Manager;
- 2) Conference with Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case) re. Westminster Boys & Girls Club; and
- 3) Conference with Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case) re. Little Saigon Tet Parade Association.

RECESS: At 6:40 p.m., Mayor/Agency Chair Rice recessed the meeting held in the Council Conference Room.

7:00 P.M.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING: The City Council/Redevelopment Agency Meeting reconvened at 7:05 p.m. in the Council Chambers.

ROLL CALL:

PRESENT: RICE, MARSH, FRY, QUACH, TA
ABSENT: NONE

SALUTE TO FLAG: Council Member Quach

INVOCATION: Mayor Pro Tem Marsh

REPORT OUT OF CLOSED SESSION:

The City Attorney stated there was nothing to report out of the Closed Session.

SPECIAL PRESENTATIONS:

- A. Acting Police Chief Mitch Waller thanked Lisa Blodgett (who could not be present) and Ken Perlis for their assistance in the apprehension of graffiti violators in the area of Westminster High School, Hazard Avenue and Goldenwest Street. Mayor Rice and the City Council presented Mr. Perlis with a certificate of congratulations. (115-00)
- B. Mayor Rice and Council Members presented a certificate of congratulations to Marcia Harris, 3rd Grade Teacher, Westminster School District, recipient of a Five Thousand Dollar Grant from the California State Department of Education. (115-00)
- C. Mayor Rice and Council Members presented a certificate of congratulations to Ken Nguyen, Founder, Little Saigon Foundation, recipient of the Outstanding Community Service Category Award from the Asian Business Association of Orange County. (115-00)

1. CONSENT CALENDAR

APPROVAL OF MINUTES

- 1.1 **(City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of December 20, 2006; Minutes of the Regular Meeting of the City Council/Redevelopment Agency of December 27, 2006; Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of January 8, 2007; and Minutes of the Regular Meeting of the City Council/Redevelopment Agency of January 10, 2007.**

ACTION: Approved.

ROUTINE MATTERS

- 1.2 **(City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

ACTION: Approved.

1.3 Annual Software Maintenance for the City's Financial, Payroll and Utility Billing System. (502-05)

ACTION: The Mayor and City Council approved a purchase order in the amount of \$43,375.65 to Tyler Technologies, Inc., Eden Systems Division for annual software maintenance and support services.

1.4 Fee Waivers for Community Groups/Non-Profit Organizations (702-06)

ACTION: The Mayor and City Council approved fee waivers from the following listed groups/non-profit organizations for use of City facilities for calendar year 2007:

Organization	Facility	Date(s) Requested	Time Requested	Amount
Lam Son Scout Group	East/West Room	February 2, 2007	5:00pm-10:00 pm	\$160.00
Toastmasters International	A/B	March 3, 2007 & September 15, 2007	9:00 am 12:00pm (Both Dates)	\$370.00 (Total – Both Dates)
American Cancer Society	East Room	March 14, 2007	5:00pm – 8:30 pm	\$185.00
*American Family Housing	East/West Room	March 16, 2007	4:00 pm – 10:00 pm	\$370.00
Senior Center Foundation	East/West Room & Craft Room	May 15, 2007 & May 16, 2007	4:00 pm – 8:00 pm 9:00 am – Noon	\$420.00 – E/W Room \$210.00 Craft Room
Westminster Pony Baseball	East/West Room	April 29, 2007	6:00 am-2:00 pm	\$410.00
Westminster Girl Scouts	East/West Room	June 5 or 6, 2007	6:00 pm – 9:00 pm	\$100.00
Knights of Columbus	East/West Room	June 8, 2007	4:00 pm – 10:00 pm	\$370.00
Chamber of Commerce	2 Banners	September 2007	N/A	\$400.00
Kiwanis of Westminster	Sr. Dining Room	November 10, 2007	8:00 am – 11:00 am	\$190.00
Soroptimist	East/West Room	December 5, 2007	10:00 am – 2:00 pm	\$250.00
Westview	East/West Room	December 7, 2007	3:00 pm 9:00 pm	\$310.00
TASK	East/West Room	December 15, 2007	11:00 am – 3:00 pm	\$310.00
TOTAL FEE WAIVER REQUESTS				\$4,055

1.5 Contract Change Orders for the Drilling and Equipping of Water Well 107A Project (502-19)

ACTION: The Mayor and City Council approved an increase to the purchase order with SoCal Pacific Construction Corporation in the amount of \$109,113.69 for Contract Change Orders for the Drilling and Equipping of Water Well 107A project.

1.6 Selection of Consultant for Design Services of Street Improvements on Arizona Street between Westminster Blvd. and Hospital Circle, the Alley from Arizona Street to end, and Old Edwards Street between Edwards Street and Industry Way (502-14)

ACTION: The Mayor and City Council approved a Professional Engineering Services Agreement with Norris-Repke in an amount not to exceed \$23,040.00 to perform the subject work, and authorized the Interim City Manager to execute the agreement on behalf of the City.

1.7 Award of Bid for Purchase of One Ton Truck with Service Body for the Water Division, Unit #2110 (502-06)

ACTION: The Mayor and City Council authorized a purchase order to Fairview Ford Sales, Inc. in the amount of \$34,915.44 to purchase a one ton truck with service body.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.8 Resolution No. 4060 – A Resolution of the Mayor and City Council of the City of Westminster providing for the installation of disabled parking restrictions at 7412 Colby Circle – T.C. 77-142 (608-02)

ACTION: The Mayor and City Council adopted Resolution No. 4060 and waived further reading.

(ITEM REMOVED AND HEARD SEPARATELY)

1.9 Resolution No. 4051 – A Resolution of the Mayor and City Council of the City of Westminster upholding the Planning Commission decision to approve Case No. 2006-24 pertaining to a Variance, Conditional Use Permit, Site Plan and Design Review for the construction and operation of a food market with off-sale of beer and wine in conjunction with an automobile service station to operate 24-hours a day located at 13982 Bolsa Chica Road (201-00) (CN 2006-24)

Mayor Rice stated she removed this item from the Consent Calendar to cast her no vote.

Motion was made by Council Member Fry, and seconded by Mayor Pro Tem Marsh, to adopt Resolution No. 4051, to reflect the conditions as adopted at the January 8, 2007 Council meeting.

Don Salow, resident of Westminster, stated that people are not in favor of the 24-hour operation of the 7-Eleven. He voiced concerns that the contents of the petitions submitted by residents regarding setbacks, 24-hr operation, and restricting traffic ingress onto Northwestern Way from Bolsa Chica Road, were not fully considered.

Council Member Quach said the issue regarding the ingress onto Northwestern Way was sent to the Traffic Commission to consider. Mayor Pro Tem Marsh stated that it could not be made a condition unless it was reviewed by Orange County Fire Authority to determine whether or not they need the ability to ingress onto Northwestern Way. Council Member Quach said that this matter will be agendized for a future Traffic Commission meeting and residents within a 500' radius will receive notification.

Steve Caruso, resident of Westminster, expressed concern about traffic congestion and the ingress onto Northwestern Way, trash deposited onto his yard from the bus stops, and the 24-hour operation.

Mark Harley, resident of Westminster, stated that he believes a 24-hour operation would attract a less desirable element into the neighborhood.

Randall Ressel, resident of Westminster, thanked Mayor Rice for realizing this is not the proper type of business for this location. He said that Mayor Pro Tem Marsh went above and beyond the call of duty to minimize the affects from the project.

Council Member Quach stated that the operation is subject to a six-month formal review period. Notice for the review will include the people on the petition and residents within 500 feet of the business. The Council has the authority to make changes if it is warranted.

The motion carried by the following vote:

AYES:	MARSH, FRY, QUACH, TA
NOES:	RICE
ABSENT:	NONE

WARRANT REGISTER

- 1.10 (City Council/Redevelopment Agency) Warrant Register dated January 3 through 16, 2007 (105-09)

ACTION: Approved.

INFORMATION AND REPORTS

- 1.11 Community Development Monthly Report – December 2006 (216-01)

ACTION: Received and filed.

- 1.12 Minutes of Community Services & Recreation Commission meeting held on November 8, 2006 (104-05)

ACTION: Received and filed.

- 1.13 Minutes of City of Westminster Youth Committee meeting held on October 11, 2006 and November 8, 2006 (104-17)

ACTION: Received and filed.

- 1.14 Minutes of Westminster Traffic Commission meeting held on January 2, 2007 (104-12)

ACTION: Received and filed.

- 1.15 Treasurer's Report – December, 2006 (105-08)

ACTION: Received and filed.

Motion was made by Council/Agency Member Fry, and seconded by Council/Agency Member Quach, to approve the Consent Calendar with the exception of Item No. 1.9 which was removed for separate consideration. The motion carried by a 5-0 vote.

END OF CONSENT CALENDAR

2. **ORAL COMMUNICATIONS** – None.

3. **COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW**

- 3.1 **The actions of the Planning Commission meeting held on January 17, 2007.**

- 1) Case No. 2006-06 Variance, Conditional Use Permit, Site Plan, Design Review. Location: Undeveloped site at the N/E corner of Beach Boulevard and Edinger Avenue

- 2) Case No. 2006-49 Tentative Parcel Map, Site Plan, Design Review:
Location: 14241 Pacific Avenue
- 3) Case No. 2006-79 Conditional Use Permit for a health club at 6621-6791
Westminster Boulevard (Westminster Center).

Mayor Rice called up Item No. 3 for review, as she has received complaints from some of the tenants.

Motion was made by Council Member Quach, seconded by Council Member Fry, to receive and file Item Nos. 1 and 2. The motion carried by a 5-0 vote.

4. PUBLIC HEARINGS

4.1 APPEAL OF PLANNING COMMISSION'S ACTION OF NOVEMBER 15, 2006 APPROVING CASE NO. 2006-59 (VARIANCE, CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 9741 & 9743 BOLSA AVENUE; APPLICANT: JERRY YATES FOR THUY NGUYEN; APPELLANT: LYNN ZACHMEYER (201-00) (2006-59)

Art Bashmakian, Planning Director, said that this is a Conditional Use Permit, to allow the on-sale of beer and wine and entertainment in conjunction with a proposed restaurant. There is also a variance to allow a portion of the site's parking area to vary from the minimum driveway aisle width and minimum vehicular back-up space requirements. There is on-site valet parking services proposed for 9741 and 9743 Bolsa Avenue. He showed an aerial photograph of the subject site and drawings of the proposed project. He explained the use of the restaurant and the banquet facility. Mr. Bashmakian said that light entertainment can be in operation until 9:30 p.m.; the banquet facility closes at 10 p.m.; the building is located at the rear portion of the parcel and the parcel contains another building proposed to be retail use, one restaurant without beer and wine, and one small take-out establishment. The project requires 222 parking spaces meeting the minimum parking spaces required, except for the restaurant in Building B. There is a requirement of 22 additional parking spaces due to the size of the restaurant. On-site valet parking is proposed for the provision of the extra parking spaces. On November 15, 2006, the Planning Commission approved the project with a condition that the valet area be relocated to the property lines that are adjacent to residential uses. Valet service would be activated when the banquet facility is functioning or more than one-third of Building B is in use.

Mayor Pro Tem Marsh stated that he wants the conditions that are binding on all components of the property site to be recorded.

Mr. Bashmakian stated that every six months for three years the Planning Commission will monitor how effective the project is as a mechanism to either revoke or modify the Conditional Use Permit. The project is exempt from further

California Environmental Quality Act (CEQA) analysis, but the exemption does not limit the Council's ability to add conditions.

MAYOR RICE OPENED THE PUBLIC HEARING AND ASKED IF THERE WERE ANY PERSONS WISHING TO SPEAK IN FAVOR OF THE PROJECT.

Jerry Yates, architect, stated that he is interested in leasing the project and making it work for the community, and is agreeable to the 25 conditions placed on the project. The cost of the valet service will be factored into the cost of the banquet. He affirmed knowledge of the conditions that will be monitored and that the conditions are acceptable.

MAYOR RICE ASKED THOSE PERSONS WISHING TO SPEAK IN OPPOSITION TO THE PROJECT TO ADDRESS THE COUNCIL. BEING NO ONE WISHED TO SPEAK IN OPPOSITION, MAYOR RICE CLOSED THE PUBLIC HEARING.

Motion was made by Council Member Quach, and seconded by Council Member Fry, to uphold the Planning Commission's approval of Case No. 2006-59 as recommended and adopt Resolution No. 4059 entitled, "A Resolution of the Mayor and City Council of the City of Westminster upholding the Planning Commission decision to approve Case No. 2006-59 pertaining to a Variance and Conditional Use Permit to allow the on-sale of beer and wine and entertainment in conjunction with a proposed restaurant, to allow a portion of the subject site's parking area to vary from the minimum driveway aisle width and minimum vehicular back-up space requirements and to allow five fewer parking spaces than required by the Westminster Municipal Code when only 1/3rd of Building B functions as a restaurant at 9741 & 9743 Bolsa Avenue," and waive further reading.

Mayor Pro Tem Marsh proposed an amendment to the motion to have an automatic review of the project in six months.

Council Member Quach, as maker of the motion, agreed with the amendment. The second to the motion, Council Member Fry, agreed to the amendment.

The motion was carried by a 5-0 vote.

4.2 REVIEW OF PLANNING COMMISSION'S APPROVAL OF CASE NO. 2006-82 (CONDITIONAL USE PERMIT, DESIGN REVIEW); LOCATION: 1025 WESTMINSTER MALL; APPLICANT: HOWARD MAKLER AND PAUL YANKEY OF HOWIE'S GAME SHACK; PROPERTY OWNER: SIMON PROPERTY GROUP (201-00) (CN 2006-82)

Michael Patterson, Assistant Planner, displayed photos of the proposed project. He said the applicant is proposing to operate a computer gaming arcade with a live disc jockey within a 7,700 square foot tenant space adjacent to the J.C. Penney's department store, inside the Westminster Mall, and to make minor

exterior architectural changes to the existing mall building, specifically, adding a new exterior doorway and a 40 square foot wall sign to the exterior wall, and altering existing landscaping to create a new pedestrian walkway to access the new exterior doorway. Conditions modified by the Planning Commission are acceptable to staff with the exception of Condition No. 5 that would allow operations until 5 a.m. Saturday mornings. Staff recommends limiting operation to 2 a.m., 7 days per week.

Council Member Ta asked what the security procedure would be in case of an incident.

Mr. Patterson said that the Mall has 24-hour security and if an incident occurred, the Westminster Police Department would be called.

MAYOR RICE OPENED THE PUBLIC HEARING AND ASKED IF THERE WERE ANY PERSONS WISHING TO SPEAK IN FAVOR OF THE PROJECT.

Joe Daichendt, head of store operations for Howie's Game Shack, requested permission to play a video for Council to view. He said that Howard Makler was unable to attend the meeting and the tape would represent him.

Paul Yankey, Store Manager for the Westminster facility, gave a brief history of himself and his mission with the organization. He read a letter from Howard Makler and stated that all managers are required to agree to it upon starting to work with the organization. He presented pamphlets to the Mayor and City Council with additional information.

Discussion ensued regarding the types of games that could be played.

Mayor Pro Tem Marsh asked what the most intense rating of games is allowed. Mr. Yankey said there is an established ranking system for games, but it's very subjective. He made assurances that inappropriate games are not allowed. He stated there are no games with nudity or "adult" games.

Robin Sun, resident of Westminster and employee at Howie's Game Shack, spoke in support.

MAYOR RICE ASKED THOSE PERSONS WISHING TO SPEAK IN OPPOSITION TO THE PROJECT TO ADDRESS THE COUNCIL.

Don Salow, resident of Westminster, expressed concern about the hours of operation and teen drivers leaving the establishment at late hours.

REBUTTAL:

Mr. Daichendt stated that they are looking for property that has professional property management and security teams so Howie's can be a business that

benefits the community. He said they are asking to be open until 5 a.m. on special occasions like a charity or youth event on Fridays only.

Discussion was held regarding the condition to obtain an annual police permit for events. Mayor Rice preferred that a permit is obtained for each event, to which Mr. Daichendt agreed to abide to.

MAYOR RICE CLOSED THE PUBLIC HEARING.

Council Member Quach stated he wants to solidify Condition of Approval No. 9 of Resolution No. 4061 to make it specific that the hours of operation will never be later than the required closing hours on a per event occurrence, limited to one "Friday" night per month, subject to police approval. The Condition of Approval is to be reviewed automatically in six months. If any problems arise between now and then, the Council can call it up any time for review or revocation or modification. He thanked Mr. Daichendt for bringing the business into Westminster.

A motion was made by Council Member Quach, seconded by Council Member Fry, to adopt Resolution No. 4061 entitled "A Resolution of the Mayor and City Council of the City of Westminster approving Case No. 2006-82 pertaining to a Conditional Use Permit and Design Review for the establishment and operation of a computer gaming arcade with live disc jockey and to make minor exterior architectural modifications to the existing commercial building located at 1025 Westminster Mall," and waive further reading, subject to modifying Condition No. 9 to make it more specific to a per event permit and limited to Friday nights only.

Mayor Rice said her concern is the 5 AM closing time.

Mayor Rice proposed an amendment to the motion to have a Planning Commission review in six months. The maker of the motion, Council Member Quach, and the second to the motion, Council Member Fry, agreed to the amendment.

Mayor Pro Tem Marsh proposed an amendment to the motion to add the words "for each event date" at the end of the sentence on Condition No. 9 in Resolution No. 4061. The maker of the motion, Council Member Quach, and the second to the motion, Council Member Fry, agreed to the amendment.

Council Member Quach amended his motion to change "one night only" to "may operate Friday night only per each event date". The second to the motion, Council Member Fry, agreed to the amendment.

The motion was carried by a 5-0 vote.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS**5.1 Council/Agency Member Items**

Council Member Ta thanked the Mayor and City Council and Interim City Manager for their support at the leadership workshop in Sacramento. He expressed sympathy for the City Attorney whose mother-in-law passed away.

Mayor Rice said that she had enjoyed getting to know Council Member Ta at the leadership workshop.

5.2 AB 1234 Reports – Report on 2007 League of California Cities, Mayors and Council Members Academy Leadership Institute, Sacramento, January 10-12, 2007

Mayor Rice stated that she and Council Members Frank Fry, Andy Quach, and Tri Ta attended the Mayors' and City Councils' Academy Leadership Institute in Sacramento from January 10th to 12th. The seminar included policy role and land use planning and the relationship between the City Council, City Manager and staff. Also discussed were the key responsibilities and the Council's financial role and the laws relating to ethics. She said they toured the capital and went through the Assembly with Assemblyman Van Tran and they met with Senator Lou Correa. Mr. Correa gave them a tour of the Senate. Mayor Rice said she had not been there since she was Woman of the Year. She stated they visited the office of Lt. Governor John Garamendi and had photos taken with him. She said it was a good conference and they enjoyed getting to know new Council Member Tri Ta and Interim City Manager Andy Hall.

Council Member Frank Fry added that they also had dinner with Assemblyman Todd Spitzer and Senator Lou Correa. He enjoyed hearing about different possible solutions for problems at the State.

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR**6.1 Reappropriation for the City's Comprehensive Planning and Zoning Code Update (502-03)**

A motion was made by Mayor Pro Tem Marsh, and seconded by Council Member Quach, to:

- 1) Approve the new CIP Project (Project No. 60002-076000) titled City's Comprehensive Zoning Code Update; and
- 2) Reappropriate \$77,066.00 from the Community Development Unrestricted Fund Balance (Account No. 00285-71030) to the Comprehensive Zoning Code Update Project (Project No. 60002-076000).

The motion was carried by a 5-0 vote.

6.2 Request from Rose Center Foundation to waive the business license processing fee and annual renewal fee for operating the Rose Center Theater (702-02)

Mayor Pro Tem Marsh stated that since the fees were waived for the Boys and Girls Club, the Rose Center Foundation should be given the same consideration.

A motion was made by Mayor Pro Tem Marsh, and seconded by Council Member Quach, to waive the business license processing fee and annual renewal fees for the Rose Center Foundation to operate the Rose Center Theater. The motion was carried by a 5-0 vote.

6.3 (City/Agency) Selection of a date and time for a Study Session to discuss City/Agency goals and objectives (103-08)

A motion was made by Council Member Quach, and seconded by Council Member Ta, to hold a Study Session to discuss goals and objectives at 10:00 a.m., Saturday, February 24, 2007. The motion was carried by a 5-0 vote.

6.4 Date for Youth in Government Day (701-04)

A motion was made by Council Member Quach, and seconded by Council Member Ta, to tentatively approve Wednesday, May 9, 2007, for the annual Youth in Government Day program. The motion was carried by a 5-0 vote.

6.5 Fabrication of 50th Anniversary Banners (106-00)

Greg Johnson, Community Services Director, answered questions on the banners stating there are 184 banners at \$60 each with a cost of \$22 for each installation. He is saving the City \$4,000 by taking down the Christmas banners at the same time the new banners are installed.

A motion was made by Mayor Rice, and seconded by Council Member Quach, to approve a purchase order to be issued to Banner Farms in an amount not to exceed \$7,000 for the fabrication of 50th Anniversary banners to be hung on street light poles throughout the City and in the Civic Center. The motion was carried by a 5-0 vote.

6.6 Agreement for City Manager Services (502-19)

A motion was made by Council Member Fry, and seconded by Mayor Pro Tem Marsh, to approve the Agreement for City Manager Services and authorize the Mayor to execute the Agreement on behalf of the City. The motion was carried by a 5-0 vote.

7. WRITTEN COMMUNICATIONS (Public)**7.1 Use of City parking lot for shuttle services to Tet Festival (213-03)**

A motion was made by Council Member Fry, and seconded by Council Member Ta, to approve a request from The Union of Vietnamese Student Associations of Southern California to use the Westminster City Hall parking lot as a shuttle pick-up/drop-off point and for patrons to park their vehicles, on Saturday and Sunday, February 17 and 18, 2007 for the Annual Tet Festival to be held at Garden Grove Park in the City of Garden Grove. The motion was carried by a 5-0 vote.

7.2 Consideration of a Request from Doug DeCinces, DeCinces Properties to Waive All or a Portion of the Required Park In-Lieu Fees for the Previously Approved Tentative Tract Map No. 16669 (Case No. 2004-50), Located at 7172 Park Street (201-00) (CN 2004-50)

Mayor Pro Tem Marsh ascertained that there is no commonly useable open space to be considered to waive the required park in-lieu fees.

Tim DeCinces, DeCinces Properties Manager, described what he considered to be open space. He said their issue was the challenges with Sigler Park and enhancing the road. He explained why he thought the in-lieu fees should be waived.

A motion was made by Mayor Pro Tem Marsh, and seconded by Council Member Fry, to deny the request for waiver of park-in-lieu fees.

Andrew Patterson, developer, asked for financial consideration due to the company improving a Westminster road to a higher level than was required.

Council Member Quach stated that based on the application, there is not justification for a waiver of park-in-lieu fees because there is no recreation area.

The motion carried by the following vote:

AYES: COUNCIL MEMBERS: RICE, MARSH, FRY, TA
NOES: COUNCIL MEMBERS: NONE
ABSTAIN: COUNCIL MEMBERS: QUACH
ABSENT: COUNCIL MEMBERS: NONE

8. LEGISLATIVE ITEMS – None**9. COMMISSION AND COMMITTEE ITEMS**

9.1 Appointments to Commissions and Committees (104-00)Ad Hoc Water Rate Structure Committee

Council Member Ta stated he wished to nominate Vinh N. Ngo to serve as his appointee to the Ad Hoc Water Rate Structure Committee.

A motion was made by Council Member Ta, and seconded by Mayor Pro Tem Marsh, to appoint Vinh N. Ngo to the Ad Hoc Water Rate Structure Committee for a two-year term ending November, 2008. The motion carried by a 5-0 vote.

Area Variance Committee

Mayor Rice stated the appointments for the Area Variance Committee will be deferred because there are no applications.

Cultural Arts Commission

Mayor Pro Tem Marsh and Council Member Fry deferred their appointments to the February 14, 2007, City Council meeting.

Council Member Quach stated he wished to change his appointment of Kelly Cao to a Regular Member appointment and Tina Vo to an Alternate Member appointment.

A motion was made by Council Member Quach, and seconded by Mayor Rice, to appoint Kelly Cao as a Regular Member and Tina Vo as an Alternate Member for a two-year term ending November, 2008. The motion carried by a 5-0 vote.

Financial Review Committee

Mayor Rice and Council Members Fry and Quach deferred their appointments to the Financial Review Committee to the next Council meeting.

Planning Commission

A motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh to make the following appointments to the Planning Commission for a two-year term ending November, 2008:

Tony Lam	Mayor Rice
Al Krippner	Mayor Pro Tem Marsh
Mike Turro	Council Member Fry
Roxanne Chow	Council Member Quach
Sergio Contreras	Council Member Ta

The motion carried by the following vote:

AYES: COUNCIL MEMBERS: MARSH, FRY, QUACH, TA
NOES: COUNCIL MEMBERS: RICE
ABSENT: COUNCIL MEMBERS: NONE

A motion was made by Mayor Pro Tem Marsh, and seconded by Council Member Quach, to reappoint Cortney Dorney, Certified Dog Trainer, and to appoint Tia Greenberg, Licensed Doctor, to the Potentially Dangerous/Vicious Dog Review Board for a two-year term ending November, 2008. Albert Leung will be considered an alternate if for any reason Tia Greenberg is unable to serve. The motion carried by a 5-0 vote.

10. **COUNCIL/AGENCY ADJOURNMENT:** At 9:20 p.m., Mayor/Agency Chair Rice adjourned the meeting to Monday, February 5, 2007 at 6:00 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster, California, to hear presentations from nonprofit agencies and City departments applying for FY 2006-07 HOME/CDBG funds and discuss City/Agency matters. The meeting was adjourned in memory of City Attorney Richard Jones's mother-in-law Carmella Ollman who passed away.



Christine Otto, Deputy City Clerk/
Acting Agency Secretary